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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>	Attorney Docket No. 0307091.0158	
	First Inventor	LIGHTNER, et al
	Title	Internet-Based Emissions Test for Vehicles
	Express Mail Label No. ET801839946US	
(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))		

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i> 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <span style="border: 1px solid black; padding: 0 5px;">46</span> ] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <span style="border: 1px solid black; padding: 0 5px;">8</span> ] 5. Oath or Declaration [Total Pages <span style="border: 1px solid black; padding: 0 5px;">2</span> ] <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for a continuation/divisional with Box 18 completed)</i></li></ul> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li><li>b. Specification Sequence Listing on:<ul style="list-style-type: none"><li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li><li>ii. <input type="checkbox"/> paper</li></ul></li><li>c. <input type="checkbox"/> Statements verifying identity of above copies</li></ul>
<b>ACCOMPANYING APPLICATIONS PARTS</b>	
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input checked="" type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____	

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)


of prior application No: 09 / 908,440

Prior application information: Examiner Unknown

Group / Art Unit: 2176

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>19. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		35602		or <input type="checkbox"/> Correspondence address below	
		(Insert Customer No. or Attach bar code label here)			
Name	Stephen C. Glazier Kirkpatrick & Lockhart LLP				
Address	1800 Massachusetts Ave., NW Suite 200				
City	Washington	State	DC	Zip Code	20036
Country	USA	Telephone	202-778-9045	Fax	202-778-9100

Name (Print/Type)	Stephen C. Glazier	Registration No. (Attorney/Agent)	31,361
Signature			Date
			2 July 03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.**

16591 U.S. PTO  
10/615516  
07/08/03

17707 U.S. PTO  
07/08/03

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2990

## Complete if Known

Application Number Not Yet Assigned  
Filing Date Herewith  
First Named Inventor LIGHTNER, et al.  
Examiner Name  
Group / Art Unit  
Attorney Docket No. 0307091.0158

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit Account Number 50-1721

Deposit Account Name Kirkpatrick & Lockhart LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1001	740	2001	370		Utility filing fee	750
	1002	330	2002	165		Design filing fee	
	1003	510	2003	255		Plant filing fee	
	1004	740	2004	370		Reissue filing fee	
	1005	160	2005	80		Provisional filing fee	

SUBTOTAL (1) (\$) 750

### 2. EXTRA CLAIM FEES

Total Claims	98	-20 **	=	78	X	Fee from below 18	=	Fee Paid 1404
Independent Claims	12	-3 **	=	9	X	84	=	756
Multiple Dependent					X		=	0

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description
	1202	18	2202	9		Claims in excess of 20
	1201	84	2201	42		Independent claims in excess of 3
	1203	280	2203	140		Multiple dependent claim, if not paid
	1204	84	2204	42		** Reissue independent claims over original patent
	1205	18	2205	9		** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 2160

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130	2051	65		Surcharge - late filing fee or oath	
	1052	50	2052	25		Surcharge - late provisional filing fee or cover sheet	
	1053	130	2053	130		Non-English specification	
	1812	2,520	1812	2,520		For filing a request for reexamination	
	1804	920*	1804	920*		Requesting publication of SIR prior to Examiner action	
	1805	1,840*	1805	1,840*		Requesting publication of SIR after Examiner action	
	1251	110	2251	55		Extension for reply within first month	
	1252	400	2252	200		Extension for reply within second month	
	1253	920	2253	460		Extension for reply within third month	
	1254	1,440	2254	720		Extension for reply within fourth month	
	1255	1,960	2255	980		Extension for reply within fifth month	
	1401	320	2401	160		Notice of Appeal	
	1402	320	2402	160		Filing a brief in support of an appeal	
	1403	280	2403	140		Request for oral hearing	
	1451	1,510	1451	1,510		Petition to institute a public use proceeding	
	1452	110	2452	55		Petition to revive - unavoidable	
	1453	1,280	2453	640		Petition to revive - unintentional	
	1501	1,280	2501	640		Utility issue fee (or reissue)	
	1502	460	2502	230		Design issue fee	
	1503	620	2503	310		Plant issue fee	
	1460	130	1460	130		Petitions to the Commissioner	
	1807	50	1807	50		Processing fee under 37 CFR 1.17 (q)	
	1806	180	1806	180		Submission of Information Disclosure Stmt	
	8021	40	8021	40		Recording each patent assignment per property (times number of properties)	80
	1809	740	2809	370		Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	740	2810	370		For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	740	2801	370		Request for Continued Examination (RCE)	
	1802	900	1802	900		Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 80

## SUBMITTED BY

Name (Print/Type) Stephen C. Glazier Registration No. Attorney/Agent 31,361 Telephone 202-778-9045  
Signature [Signature] Date 2 July 03

WARNINGS: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

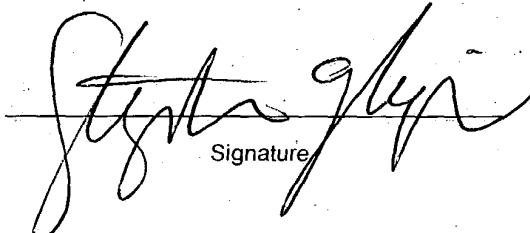
If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	LIGHTNER, et. al
Title	Internet-Based Emissions Test for Vehicles
Atty Docket Number	0307091.0158

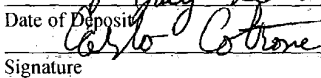
I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2 July 03  
Date

  
Signature

**CERTIFICATE OF MAILING BY EXPRESS MAIL**  
Express Mail Label No. ET 801839946US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Alexandria, VA 22313-1450.

2 July 2003  
Date of Deposit  
  
Signature  
Carlo Cotrone  
Typed or Printed Name of Person Signing Certificate

Stephen C. Glazier

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**